

**MINUTES OF THE  
VINEYARD TOWN COUNCIL MEETING  
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah  
August 22, 2012**

**PRESENT –**

Mayor Randy Farnworth  
Councilmember Sean Fernandez  
Councilmember Jeff Gillespie  
Councilmember Nathan Riley  
Councilmember Norm Holdaway

**ABSENT –**

**Staff Present:** Water Operator Sullivan Love, Town Attorney David Church, Town Engineer Don Overson, Town Planner Nathan Crane, Town Clerk/Recorder Debra Cullimore, UCSO Deputy Collin Gordon.

**Others Present:** Robert and Cummorah Holdaway, Jerry Grover of Anderson Development, Kim Robinson of Pleasant Grove City Council.

The Vineyard Town Council held a Regular Meeting Wednesday, August 22, 2012, beginning at 7:00 p.m. The invocation was offered by Sean Fernandez.

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**Regular Session** – The meeting was called to order at 7:05 p.m.

**MINUTES REVIEW AND APPROVAL** – The Council reviewed the minutes of the meeting of June 27, 2012 and July 11, 2012.

COUNCILMEMBER RILEY MOVED TO APPROVE THE MINUTES OF THE MEETINGS OF JUNE 27, 2012 AND JULY 11, 2012. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

**PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL** - *Planning Commission Liaison Norman Holdaway*

Councilmember Holdaway had no new business to forward to the Council from the Planning Commission.

**STAFF REPORTS** –

Planner, Nathan Crane – Mr. Crane reported that he met with representatives of Anderson Development to discuss development of the Utah Lake shoreline area. The property owner will prepare concept plans for review and discussion by the Council. Councilmember Riley expressed that he feels it is important for the Council to be involved in the planning phase of the beach front area. Mayor Farnworth noted that he and Mr. Crane requested that the developer prepare a concept plan as a place to begin discussion

and planning of the area. Mr. Grover noted that the State will also be involved in planning the development as well as they have some jurisdiction over the lake shore area.

Mr. Crane also reported that Flagship Homes is currently under contract to purchase the Lecheminant property, formerly the Sunset Villas subdivision. The development is subject to the requirements of the Planned Development overlay on the property.

Engineer, Don Overson – JUB Engineers – Mr. Overson reported that wet utilities in the RDA Phase 1 project are nearing completion. Curb and gutter improvements will be installed in approximately one week, with paving scheduled for completion this year. Jersey barriers will be installed at the east entrance from Geneva Road to restrict vehicle access.

Councilmember Riley inquired as to the status of RDA Projects Phase 2. Mr. Overson stated that the design is complete and construction will begin in the near future. He explained that the large underground concrete structure discussed during previous meetings will be filled and left in place rather than removing the structure, which would be time consuming and costly. The contractor is confident that the project will be completed prior to the April 30, 2013 deadline.

Mr. Overson also reported that work has started on the Utah Valley University project in the immediate area of the RDA projects. Mr. Overson met with UVU representatives to discuss routing of construction traffic to avoid crossing the Phase 2 project area.

Water Operator Technician – Sullivan Love – Mr. Love reported that notification regarding the water testing violation was sent to residents in the most recent newsletter. He also reported on repairs to the sewer lift station.

Attorney – David Church – Mr. Church reported that the State Supreme Court will consider arguments regarding the 400 North rail road crossing on October 2, 2102. The court will make a ruling as to whether the crossing is a current public crossing or whether the crossing has been lost or abandoned. The property owner is negotiating with the rail road to resolve the issue. Mr. Church noted that the court is not expected to issue a ruling for six to nine months. The property owner and the rail road may reach an agreement prior to issuance of a ruling.

Utah County Sheriff's Department – Deputy Collin Gordon – Deputy Gordon reported that he is working with Town Staff to coordinate a 5k run which will start and end at the J Rulon Gammon Park. The event is scheduled for October 12, 2012.

Financial Report – Town Treasurer, Nathan Riley – Councilmember Riley reported that he did not have a chance to meet with Deputy Treasurer, Kelly Boren, to discuss the financial reports provided to the Council for this meeting. Councilmember Riley stated that he had no concerns regarding the reports, but felt that a more concise report would be beneficial. He will work with Ms. Boren to create a report.

Town Clerk/Recorder – Ms. Cullimore reported further on 5K race event mentioned by Deputy Gordon. The event is being planned in Vineyard by a private citizen, and is scheduled for October 12, 2012. She suggested that the Council consider implementation of a special event permit which would release the Town from liability and require liability insurance for events held within the Town. She also reported that a letter reminding residents and property owners of ordinance requirements regarding weed control on private property was recently mailed to all property owners in Vineyard.

## **BUSINESS ITEMS –**

***5.1 – Discussion and Action – Personnel Policies and Procedures Manual Amendments.*** *The Council will review and possibly act to approve amendments to the Personnel Policies and Procedures Manual. Proposed changes will increase benefits to part time employees in conjunction with increased work load and hours worked, as well as clarify paid holiday benefits, and annual leave and sick leave accrual for full time and part time employees.*

Ms. Cullimore reviewed proposed changes to the Personnel Policies and Procedures Manual. She explained that many of the proposed amendments do not change the policy, but rather clarify accruals using hours rather than days. She also reviewed changes which clarify that holidays are paid based on typical work schedule, noting that the current policy states only that “the following holidays apply to employees” with no language indicating whether the specified holidays are paid or unpaid. Ms. Cullimore also suggested that the Council consider providing holiday pay on the day after Thanksgiving and the day before or after Christmas as set by the Mayor rather than on Columbus Day and Veterans Day. She noted that some other municipalities provide this specific benefit, and that the number of paid holidays is the same.

The Council went on to discuss proposed increases in paid leave and sick leave for current staff based on increased hours worked as well as an increase in responsibilities due to staffing changes. Proposed changes would increase paid sick leave from one fourth day to four hours per month for part time staff, and from one half day to eight hours per month for full time staff when a full time position is filled. Paid annual leave would increase from two hours per month to 3 hours per month for part time employees, with annual leave for full time employees remaining at a rate of 4 hours per month. Upon completion of the first year of employment, annual leave would increase to 6 hours per month for part time employees and 12 hours per month for full time employees.

The Council went on to discuss proposed sick leave as opposed to annual leave. They felt that it may be reasonable to remove the specification of sick leave and provide only annual leave, which could be used as necessary when employees are ill. Mr. Crane observed that upon separation from employment, the Town is obligated to pay unused annual leave, whereas unused sick leave is not paid to the employee upon separation.

Following further discussion, the Council felt that proposed amendments clarifying annual leave accrual and specifying that employees are paid for holidays as listed in policy were reasonable, but that proposed sick leave was excessive. They felt that sick leave should be provided to employees at a rate of 4 hours per month or 48 hours per year for full time employees, and 2 hours per month or 24 hours per year for part time employees to a maximum of 360 hours.

Mayor Farnworth called for further comments or discussion. Hearing none, he called for a motion.

**COUNCILMEMBER RILEY MOVE TO APPROVE AMENDMENTS TO THE PERSONNEL POLICIES AND PROCEDURES MANUAL AS PRESENTED WITH THE CORRECTION THAT FULL TIME EMPLOYEES ACCRUE SICK LEAVE AT A RATE OF 4 HOURS PER MONTH OR 48**

HOURS PER YEAR, AND PART TIME EMPLOYEES ACCRUE SICK LEAVE AT A RATE OF TWO HOURS PER MONTH OR 24 HOURS PER YEAR TO A MAXIMUM OF 360 HOURS. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

**5.2 – Discussion and Action – Pay Adjustment for Building Official.** *The Town Council will review and possibly act to approve a pay adjustment for the contract Town Building Official, Doug Bezzant, based on a significant increase in development activities and associated work load and hours worked.*

The Council reviewed information provided by staff regarding approximate hours currently being worked by Mr. Bezzant. Councilmember Fernandez felt that the proposed pay increase from \$1200 per month to \$2000 per month was reasonable based on the current work load, as well as revenue generated through building permit fees to offset the pay increase. Mr. Bezzant explained that he will be available Monday through Friday from 11:00 a.m. to 2:00 p.m. for inspections or questions.

Mayor Farnworth called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER FERNANDEZ MOVED TO APPROVE THE PROPOSED PAY INCREASE FOR THE BUILDING OFFICIAL FROM \$1200 PER MONTH TO \$2000 PER MONTH WITH AN AVAILABILITY SCHEDULE OF 11:00 A.M. TO 2:00 P.M. MONDAY THROUGH FRIDAY. COUNCILMEMBER GILLESPIE SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

### **OPEN SESSION –**

Mayor Farnworth called for comments from the audience. Cummorah Holdaway inquired as to the location of the UVU project on the old Geneva property. The Council outlined the location of the project.

Pleasant Grove City Councilmember, Kim Robinson, approached the Council to request their assistance in addressing odor issues from Timpanogos Special Service District facilities. She felt that if participating municipalities work cooperatively the issue could be addressed. She suggested that the composting operation should be eliminated from the site due to significant impacts to future development in the adjacent areas. Councilmember Fernandez reported that the TSSD Board is well aware of the odor issue, but that completely eliminating or removing the composting operation is a significant financial challenge. The Council expressed support for the concerns brought forward by Ms. Robinson.

### **COUNCILMEMBER'S REPORTS –**

**Councilmember Riley** – Councilmember Riley reported that he will work with Deputy Treasurer, Kelly Boren, to create a consolidated financial report format.

**Councilmember Holdaway** – Councilmember Holdaway reported that Center Street construction was scheduled for completion August 23, 2012.

**Councilmember Gillespie** – Councilmember Gillespie had no items to report.

**Councilmember Fernandez** – Councilmember Fernandez reported that he and Mayor Farnworth met recently with President Holland of Utah Valley University to discuss expansion of the UVU project in the RDA area. Councilmember Fernandez noted that as a non-taxing entity, it may be problematic if the UVU project occupies an excessive amount of available acreage. He suggested that the Council work with Laura Lewis to formulate a visioning plan for the RDA area. Mayor Farnworth observed that the UVU project would not produce any property tax revenue, and only a limited amount of sales tax revenue. Councilmember Fernandez noted that the facility may serve as an anchor to attract other businesses. He clarified that he and Mayor Farnworth conveyed to President Holland that any decision would be made by the Council/RDA Board. Councilmember Riley felt that if UVU wants to acquire additional property it would be necessary to negotiate with the property owner rather than the Town.

### **MAYOR'S REPORT** –

Mayor Farnworth reported that he recently met with Orem City Manager, Bruce Chestnut, to discuss creation of additional parking area on the Roper property located near the Orem Lakeside Sports Complex. Mayor Farnworth and Mr. Chestnut also discussed ownership of the Roper property in relation to municipal boundary lines. Mayor Farnworth informed Mr. Chestnut during the meeting that Vineyard is not interested in a boundary line adjustment. Mr. Overson noted that Orem and Lindon own the Lindon Hollow property which is located in Vineyard, and that boundary line adjustments are not necessary to accommodate property ownership.

Mayor Farnworth reported on changes to requirements for CDBG applications. He noted that a two year waiting period is no longer required after receiving CDBG funding, and that the program is doing well since the restructuring which separated applications in Utah County from applications in Summit and Wasatch Counties.

Mayor Farnworth went on to discuss the current vacant administrative staff position at the Town Hall. He noted that current staff managed the Town's business well during his recent absence. He observed that filling the position is an important step as development moves forward, but felt that the position should be filled cautiously and at the right time. He commented that any decisions regarding development and the RDA must be made by the Council or the RDA Board, and that filling the position does not affect the development application or approval process.

Mayor Farnworth thanked the Council for their foresight in not becoming a pledging member of UTOPIA. He reported that he recently attended an Orem City Council meeting where UTOPIA was a topic of concern and frustration from residents. Councilmember Fernandez stated that he would like to investigate the process for having Vineyard's name removed from UTOPIA as a non-pledging member.

### **ADJOURNMENT** –

The meeting was adjourned by consensus at 8:25 p.m. The next regular Town Council Meeting is scheduled for September 12, 2012.

**MINUTES APPROVED ON** – September 12, 2012

**CERTIFIED CORRECT BY \_\_\_\_\_**  
**DEBRA CULLIMORE, TOWN CLERK/RECORDER**